

National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001



August 20, 2009

Reply to Attn to General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

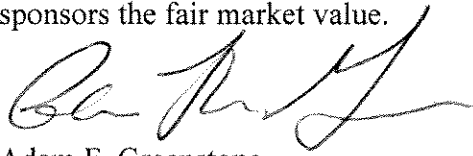
SUBJECT: Determination Regarding Attendance by NASA Employees at an Administrator's Briefing and Reception on August 23, 2009

NASA invitees, and their spouses or guests, may attend a pre-launch reception sponsored by ATK, United Space Alliance, Boeing Company, Lockheed Martin, Ball Aerospace, Pratt & Whitney Rocketdyne, SAIC, Honeywell, Inc., Jacobs Engineering, Barrios Technology, Wyle Laboratories, Inc., ITT Corporation, SpaceHab/Astrotech, Teledyne, and Sierra Lobo, Inc., at the Kennedy Space Center, Operations Support Building, Conference Room #5109, in Orlando, Florida at 11:00 p. m. The reception is to support the STS-128 Administrator's Briefing and Reception for Distinguished Guests of the NASA Administrator.

The reception will be attended by representatives of the aerospace industry, trade associations, the media, Congressional staffers, Congress, academia, and other Federal agencies. Approximately 350 people have been invited and 70 are expected to attend. The estimated cost of the reception, which includes all food and beverages is \$35.00 per person. I find that the reception meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. §2635.204(g)(2). This event will allow NASA employees to discuss and exchange views with others and celebrate the Space Shuttle mission. I have determined that free attendance at the above mentioned reception is in the interest of the agency because it will further agency programs and operations.

Accordingly, NASA employees that have been invited to attend may accept free attendance at the event. However, NASA employees whose duties may substantially affect the event sponsors, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor. Moreover, NASA employees who are in non-career positions in which the President's Executive Order of January 21, 2009, requires signing an ethics pledge may only attend if they reimburse the sponsors the cost of the refreshments they consume at the reception.

Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a) which provides that employees may accept gifts valued at no more than \$20 per occasion. NASA invitees should not accept any gift items distributed at the reception which exceed the \$20 cap. NASA invitees who are required to sign the ethics pledge may only receive such gifts if they reimburse the sponsors the fair market value.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', written in a cursive style.

Adam F. Greenstone